

**THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

**IN THE MATTER OF A CRIMINAL
COMPLAINT OF:
MICHAEL WAYNE STILLWAGON**

Case No. 21-mj-2009DPR

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Matt Smith, a Task Force Officer (TFO) with the Homeland Security Investigations, Immigration and Customs Office (HSI/ICE), being first duly sworn, hereby depose and state as follows:

1. I have been a sworn law enforcement officer since 2001 and is currently employed with the Jasper County Sheriff's Office, Carthage, Missouri since October 2006. I am also assigned as a TFO with HSI/ICE and a member of the Southwest Missouri Cyber Crimes Task Force (SMCCTF) headquartered in Joplin, Missouri. As an investigator with these entities, I have been tasked to investigate computer crimes, including violations against children. I have gained expertise in the conduct of such investigations through training in seminars, classes, and everyday work related to conducting these types of investigations. I have attended trainings provided by the Internet Crimes Against Children Program, the Federal Bureau of Investigation's Regional Computer Forensic Laboratory, and the Missouri Internet Crimes Against Children (ICAC) Task Force.
2. As part of this affiant's duties with HSI/ICE, this affiant investigates federal criminal violations including violations relating to child exploitation, child pornography, and coercion and enticement, in violation of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422.
3. The statements in this affidavit are based on personal observations, my training and experience, investigation of this matter, and information obtained from other agents and witnesses.

Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, this affiant has not included each and every fact known to me concerning this investigation. The affiant has set forth the facts necessary to establish probable cause to believe that Michael Wayne Stillwagon has violated 18 U.S.C. § 2252(a)(2), that is, receipt and distribution of child pornography.

STATUTORY AUTHORITY

4. 18 U.S.C. § 2252 prohibits a person from knowingly transporting, shipping, receiving, distributing, reproducing for distribution, or possessing any visual depiction of minors engaging in sexually explicit conduct when such visual depiction was either mailed or shipped or transported in interstate or foreign commerce by any means, including by computer, or when such visual depiction was produced using materials that had traveled in interstate or foreign commerce.

PROBABLE CAUSE

5. On September 24, 2018, the Utah Attorney General's Office (UTAGO) opened an investigation after receiving CyberTip Report (CTR) 39834642 from the National Center for Missing and Exploited children (NCMEC). CTR 39834642 was initiated on September 5, 2018, by Google after a user uploaded two suspected images of child pornography to their Gmail (email) account. Google identified the Gmail account as "42firecracker97@gmail.com." The account was registered to an individual identified in this affidavit as K.S. The CTR was investigated by UTAGO Special Agent (SA) Sarah Lundquist.

6. Google provided the two files with the CTR. SA Lundquist reviewed the files and confirmed they depicted child pornography, that is, a child less than 18 years of age engaged in sexually explicit conduct. The first file was an image file that depicted a prepubescent minor female, approximately seven to nine years old, being orally sodomized (penis to mouth) by an

adult male. The second file was an image file that depicted a prepubescent minor female, approximately four to six years old, touching the exposed penis of a prepubescent minor male.

7. Google provided the Internet Protocol (IP) address used to login into the account on September 5, 2018, at 21:28:38 hours, UTC, when the images were uploaded as IP address 209.33.94.174. IP address 209.33.94.174 was issued by Suddenlink Communications. Legal process was served to Suddenlink for subscriber information for the IP address on the above listed date and time. Suddenlink responded identifying the subscriber as Wayne Stillwagon and with an address of service as a residence in Neosho, Newton County, Missouri 64850.

8. Google also provided IP addresses for login dates prior to September 5, 2018, and that IP address (used four times) belonged to Comcast Communications. SA Lundquist served legal process on Comcast for the dates and times the IP address was used. Comcast identified the subscriber and service address in Salt Lake City, Utah.

9. Pursuant to a Utah state search warrant, Google provided the contents of the account associated with "42firecracker97@gmail.com." SA Lundquist noticed that emails sent on September 5, 2018, appeared to be sent by someone other than the normal account user/holder, K.S. On September 5, 2018, there were multiple emails sent to "42firecrack97@gmail.com" from "aldo.jason008@gmail.com." A response to a search warrant later revealed the "aldo.jason008@gmail.com" account was created on August 20, 2018, and deleted on September 5, 2018, and there was no content preserved.

10. SA Lundquist discovered many of the emails sent by "aldo.jason008@gmail.com" had links to or files containing child pornography. At 21:27:38 hours, UTC, Google sent an email to "42firecracker97@gmail.com" regarding a security alert that the account had been signed onto from a new Windows device. This email is significant because it was sent at the exact time that

the login IP address, 209.33.94.174, was recorded by Google. After the account was accessed from this new device that resolved back to Neosho, Missouri according to the IP address, at 21:27:38 hours, UTC, the “42firecracker97@gmail.com” account began sending emails, many of them with links or files containing child pornography. No child pornography was sent or received outside of September 5, 2018.

11. SA Lundquist located K.S. in Utah. In a consensual interview with law enforcement, on February 26, 2019, K.S. verified he was the registered user of “42firecracker97@gmail.com.” K.S. stated the account had been accessed by Michael Stillwagon (hereinafter “Stillwagon”). K.S. stated he met Stillwagon while both were confined in a detention facility. K.S. stated Stillwagon had accessed his Gmail account and had used the account to share nude images of children of various ages and engaged in sexual conduct. K.S. stated that Stillwagon called him and disguised his voice until he guessed who he was. K.S. stated he believed Stillwagon had moved to Missouri. He was not sure where specifically Stillwagon was living in Missouri.

12. SA Lundquist contacted Wayne Stillwagon, the registered subscriber of IP address 209.33.94.174. Wayne Stillwagon stated Michael Wayne Stillwagon was his son and Stillwagon resided in Neosho, Missouri 64850, at an apartment Wayne Stillwagon paid for. Wayne Stillwagon confirmed he provided the Suddenlink internet service at the residence where Stillwagon lived. Stillwagon had resided in southwest Missouri since sometime in 2018.

13. In July 2019, SA Lundquist reinterviewed K.S.. K.S. believed Stillwagon found his phone number from a public post on Facebook, where he posted it. He also reiterated that Stillwagon concealed his voice and made him try to guess who he was until Stillwagon finally told him. Stillwagon started talking to K.S. about their time together in custody and it appeared that Stillwagon was trying to make amends and be friends with him. K.S. thought that was odd, since

they were not friends before. Stillwagon offered to email K.S. some non-child pornography and K.S. provided Stillwagon his email address. Sometime later, Stillwagon called K.S. back and asked him if he got his email. K.S. checked and he had not. Stillwagon then told K.S. that he should give him his password and he could log in and send the emails that way.

14. On July 24, 2019, Stillwagon was located by the Neosho, Missouri, Police Department (NPD), in Neosho, Missouri. Stillwagon was arrested on an arrest warrant issued in Utah for child pornography offenses stemming from the above-mentioned investigation. NPD seized Stillwagon's Lenovo ThinkPad laptop computer from the residence. Wayne Stillwagon had previously confirmed that he had given Stillwagon that laptop. The following day, another occupant of the residence at which Stillwagon was located contacted the Neosho PD and turned over Stillwagon's cellular phone. Stillwagon's laptop computer and cellular phone were transferred from the custody of the NPD to the UTAGO as evidence.

15. On August 8, 2019, SA Lundquist and UTAGO SA Steve Metcalf collected Stillwagon from the Neosho County Jail for extradition to Utah on his pending charges. On the drive to the Springfield, Missouri, Regional Airport, Stillwagon indicated he wanted to speak with the agents. *Post-Miranda*, Stillwagon admitted to knowing K.S.. During the interview, SA Lundquist asked Stillwagon if he had accessed child pornography in the past, referencing prior investigations conducted in Utah where Stillwagon was a suspect. Stillwagon stated said he did not do it "intentionally." When asked how it "unintentionally happened," Stillwagon stated that anything can be found on the dark web. During the interview Stillwagon displayed knowledge of and discussed the dark web and Tor. Stillwagon stated he had seen a lot of "lolicon" stuff, refencing anime child pornography.

16. In regard to K.S., Stillwagon stated he was on Facebook one day, feeling nostalgic,

searching for old names, old connections, and stuff like that. Stillwagon saw that K.S. had a Facebook profile and had his phone number listed. Stillwagon called K.S. and stated, "That's when I did that voice thing, just to fuck with him." When confronted with access to K.S.'s email account, Stillwagon stated, "Okay. Like I said, I honestly did not send him chi...like...that's what I don't get. I didn't send him child porn." When asked if he thought he was sending him "non-chargeable images," Stillwagon stated, "I honestly don't remember[...]." Stillwagon admitted that he recalled logging into K.S.'s account, explaining, "I thought I set up an email and gave it to him. But that's what I'm saying, like...Alright, I'll be flat out, like, I thought I set up like an email for him, gave him the password. Ya I sent him some shit, but closed out of it. Remember, Google saves everything as a draft, so went and logged back in and a message popped back up of some gibberish from Google." Stillwagon stated the "some gibberish" was Google saying the account was shut down.

17. On August 5, 2019, the UTAGO obtained a search warrant to conduct forensic examinations on Stillwagon's laptop computer and cellular phone. The devices were turned over to the Intermountain West Regional Computer Forensics Laboratory (RCFL) for forensic examination.

18. On October 7, 2019, a forensic exam was completed on Stillwagon's Lenovo ThinkPad laptop computer. The examiner located over 2,000 images and 24 videos of child pornography. Some of the images depicted children as young as infants engaged in sexually explicit activity.

19. On November 19, 2019, SA Lundquist received a response from Google following a request for IP addresses for the specific emails sent on September 5, 2018, from the "42firecracker97@gmail.com." account. All the originating IP addresses for the emails containing child pornography images requested by SA Lundquist came from IP address 209.33.94.174, the

IP address assigned to Stillwagon on that date.

20. In February 2021, the UTAGO's office provided their case file and the forensic examination of the laptop computer seized from Stillwagon's residence in Neosho, Missouri to this affiant. This affiant and HSI and SMCCTF TFO Larry Roller reviewed the forensics and confirmed the laptop computer contained images and videos of child pornography. This affiant also confirmed that the Lenovo ThinkPad laptop is manufactured outside the state of Missouri and would have had to cross state lines to enter. Furthermore, Google utilizes the Internet to function.

CONCLUSION

21. Based on the above facts, this affiant believes there is probable cause in support of a criminal complaint against Michael Wayne Stillwagon for violation of 18 U.S.C. § 2252(a)(2), that is, receipt and distribution of child pornography.



Matt Smith
Task Force Officer
Homeland Security Investigations

Sworn to and subscribed to before me in my presence via telephone, or other reliable electronic means, on this 9th day of February 2021.



Honorable David P. Rush
Chief United States Magistrate Judge
Western District of Missouri